

ENTERED

January 30, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

NATASHA DENNIS,

Plaintiff.

V.

FIESTA MART, LLC, *et al.*,

Defendants.

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CIVIL ACTION NO. 4:23-CV-00720

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On January 12, 2024, Plaintiff's Motion for Leave to File Plaintiff's First Amended Complaint ("Motion for Leave") (Dkt. 20) was referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). Dkt. 24. Judge Edison filed a Memorandum and Recommendation on January 18, 2024, recommending that the Motion for Leave (Dkt. 20) be **GRANTED**. Dkt. 25.

On January 25, 2024, Defendant Fiesta Mart, LLC filed its Objections. In accordance with 28 U.S.C. § 636(b)(1)(C), this Court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; *see also* FED. R. CIV. P. 72(b)(3).

The Court has carefully considered the Objections; the Memorandum and Recommendation; the pleadings; and the record. The Court **ACCEPTS** Judge Edison's

Memorandum and Recommendation and **ADOPTS** it as the opinion of the Court. It is therefore **ORDERED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 25) is **APPROVED AND ADOPTED** in its entirety as the holding of the Court;
- (2) Plaintiff's Motion for Leave (Dkt. 20) is **GRANTED**;
- (3) Dkt. 20-1 is deemed filed as the First Amended Complaint;
- (4) This action, originally numbered 2023-05116 by the Harris County District Clerk, is **REMANDED** back to the 80th District Court of Harris County, Texas, effective immediately; and
- (5) A certified copy of this order will be mailed by the Clerk of this court to the Clerk of the 80th District Court of Harris County, Texas entitling that Court to proceed with the action according to the laws of the State of Texas.

It is so **ORDERED**.

SIGNED and ENTERED this 30th day of January 2024.

A handwritten signature in black ink, reading "George C. Hanks, Jr.", is written over a horizontal line.

GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE